IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE: JULIET HOMES, LP JULIET GP, LLC DOUGLAS A. BROWN,

Case No. 07-36422-H1-7 Case No. 07-36424-H1-7 Case No. 07-36426-H1-7

Debtors

JOSEPH M. HILL, TRUSTEE AND W. STEVE SMITH, TRUSTEE,

PLAINTIFFS

v.

ALEX ORIA ET AL, DEFENDANTS Adversary No.

09-03429 09-03441 09-03442

DEFENDANT JULIAN FERTITTA'S WITNESS AND EXHIBIT LIST

| UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION | | | |
|--|---|--|--|
| Main Case No: 07-36422; 07-36424 & 07-36426 | Name of Debtor: Douglas A. Brown; Juliet Homes, L.P. & Juliet GP L.L.C. | | |
| Adversary No: 09-03429 | Style of Adversary: Same as above | | |
| | Judge: Honorable Marvin Isgur | | |
| Witnesses: | Courtroom Deputy: | | |
| Bennett Fisher (fact witness) | Hearing Date: June 24, 2013 | | |
| Jeremy Stone (fact witness) | Hearing Time: 1:30 p.m. | | |
| | Party's Name: Julian Fertitta | | |
| | Attorney's Name: Bennett Fisher | | |
| | Attorney's Phone: 713-223-8400 | | |
| | Nature of Proceeding: Defendant Fertitta's Motion for Leave to Designate Defendants' David Greenberg and Greenberg & Co.'s Rebuttal Expert Witness (Doc. # 433) | | |

EXHIBITS

| Ex. # | Description | Offered | Objection | Admitted/Not Admitted | Disposition |
|-------|---------------------------------------|---------|-----------|--------------------------|-------------|
| | | | | | |
| 1. | Defendant Julian Fertitta's | | | | |
| | Emergency Motion for Leave to File | | | | |
| | a Notice to Designate Defendants' | | | | |
| | David Greenberg and Greenberg & | | | | |
| | Co.'s Rebuttal Expert Witness | | | | |
| | (Doc. # 433*) | | | | |
| 2. | Trustees' Response to Defendant | | | | |
| | Julian Fertitta's Motion for Leave to | | | | |
| | File a Notice to Designate | | | | |
| | Defendants' David Greenberg's and | | | | |
| | Greenberg & Co.'s Rebuttal Expert | | | | |
| | Witness (Doc. # 445) | | | | |
| 3. | Defendant Julian Fertitta's Reply to | | | | |
| | Trustees' Response (Doc. # 452) | | | | |
| 4. | Defendant's David Greenberg and | | | | |
| | Greenberg & Co.'s Rebuttal Expert | | | | |
| | Witness Report | | | | |
| 5. | Bennett G. Fisher's Calender Entries | | | | |
| | | | | | |
| 6. | Scheduling Order (Doc. # 325) | | | | |
| | | | | | |

^{*}All docket references are to 09-3429, unless otherwise noted.

NOTE: Defendant reserves the right to amend or supplement this witness and exhibit list. Defendant additionally reserves the right to use exhibits and witnesses identified by other parties.

| Dated: June 20, 2013 | /s/ Bennett G. Fisher |
|----------------------|-------------------------|
| | Bennett G. Fisher |
| | Fisher & Associates |
| | 1800 Two Houston Center |
| | 909 Fannin Street |
| | Houston, Texas 77010 |
| | Tel (713) 223-8400 |
| | Fax (713) 609-7766 |

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Defendant Julian Fertitta's Witness and Exhibit List was served on the parties on the attached service list according to the service method listed on June 20, 2013.

/s/ Bennett G. Fisher

Bennett G. Fisher TBA# 07049125 Fisher & Associates 1800 Two Houston Center 909 Fannin Street Houston, Texas 77010 Tel (713) 223-8400 Fax (713) 609-7766 Attorneys for Defendant Julian Fertitta